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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,710	09/26/2005	Toshio Nomura	1152-0325PUS-1	4015
2292 7590 12/17/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER NGUYEN, KIMBINH T	
			ART UNIT 2628	PAPER NUMBER
			NOTIFICATION DATE 12/17/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Office Action Summary**

Application No.

10/550,710

Applicant(s)

NOMURA ET AL.

Examiner

Kimbinh T. Nguyen

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group I, claims 1-6 in the reply filed on 10/09/07 is acknowledged.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. (6,084,978) in view of Kim et al. Pub. No. 20050210145.

Claim 1, Taylor et al. discloses a primary image creator for creating a primary image of image information for multiple viewpoints (a depth image 34 contains multiple perspective views 36 and 38; col. 1, lines 58-60); a thumbnail image creator for creating a thumbnail image (col. 7, line 64 through col. 8, line 10); a 3-dimensional control information creator for creating 3-dimensional control information for implementing 3-dimensional display of the primary image (the depth image reconstruction and output process; col. 8, lines 26-51); and Kim et al. teaches a multiplexer for multiplexing the primary image, the thumbnail image and the 3-dimensional control information (paragraph 0052). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the multiplexing taught by Kim into the

method of Taylor, because it would provide a method of enhancing the visual quality of image such the viewers can easily perceiving the reduced image captured from the video is provided (paragraph 0210).

Claims 2-5, Kim et al. discloses the thumbnail image creator creates the thumbnail image by directly reducing the primary image (paragraph 0287); the thumbnail image creator creates the thumbnail image by extracting a section of one viewpoint image from the primary image; the thumbnail image creator embeds a symbol that indicates an inclusion of a 3-dimensional image into the thumbnail image (paragraph 0372); the thumbnail image creator creates the thumbnail image made up of a reduced image of the primary image and a reduced image of one viewpoint image extracted from the primary image and fitted therein in a picture-in-picture manner (paragraph 0427). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the reducing, extracting the frames taught by Kim into the method of Taylor, because it would provide a method of enhancing the visual quality of image such the viewers can easily perceiving the reduced image captured from the video is provided (paragraph 0210).

Claim 6, Kim et al. discloses a demultiplexer for separating a primary image data, a thumbnail data and a 3-dimensional control information from an input image data; and a thumbnail creator for outputting a thumbnail with a symbol that indicates an inclusion of a 3-dimensional image overlaid on the thumbnail data when the primary image data represents a 3-dimensional image (paragraph 0428). It would have been obvious to one

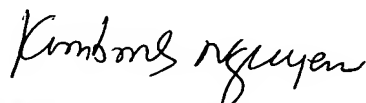
of ordinary skill in the art at the time the invention was made to incorporate the demultiplexing taught by Kim into the method of Taylor, because it would provide a method of enhancing the visual quality of image such the viewers can easily perceiving the reduced image captured from the video is provided (paragraph 0210).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimbinh T. Nguyen whose telephone number is (571) 272-7644. The examiner can normally be reached on Monday to Thursday from 7:00 AM to 4:30 PM. The examiner can also be reached on alternate Friday from 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached at (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 10, 2007



**KIMBINH T. NGUYEN  
PRIMARY EXAMINER**